

AMENDED IN ASSEMBLY MAY 27, 2004

AMENDED IN SENATE MAY 13, 2004

AMENDED IN SENATE APRIL 22, 2004

SENATE BILL

No. 1084

Introduced by Senator Torlakson

January 5, 2004

An act to ~~amend Section 97.1 of~~ *add Section 97 to* the Streets and Highway Code, and to add Section 42010 to the Vehicle Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1084, as amended, Torlakson. Highways: Safety Enhancement-Double Fine Zones.

Under existing law, until January 1, 2006, the segment of State Highway Route 101 between the Eureka Slough Bridge and the Gannon Slough Bridge in Arcata is designated a Safety Enhancement-Double Fine Zone.

This bill ~~would extend this designation indefinitely, and would increase fines for certain traffic violations that take place in a Safety Enhancement-Double Fine Zone. The bill~~ would also designate as Safety Enhancement-Double Fine Zones the segment of Vasco Road between the Interstate 580 junction in Alameda County and the Walnut Boulevard intersection in Contra Costa County ~~and, the segment of State Highway Route 101 that is the Golden Gate Bridge, and certain road segments in Alameda County,~~ upon approval of local resolutions designating them as such. The bill would, thus, subject ~~those~~ *all of the* segments to the provisions requiring increased fines for traffic violations in a Safety Enhancement-Double Fine Zone.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 97.1 of the Streets and Highways Code~~
2 ~~is amended to read:~~
3 ~~97.1. (a) The following highway segments are Safety~~
4 ~~Enhancement Double Fine Zones:~~
5 ~~(1) The five-mile segment of State Highway Route 101,~~
6 ~~between the Eureka Slough Bridge No. 4-22 and the Gannon~~
7 ~~Slough Bridge No. 4-24 in Arcata.~~
8 ~~(2) Section 97 is added to the Streets and Highways Code, to~~
9 ~~read:~~
10 97. The following highway segments are Safety
11 *Enhancement-Double Fine Zones:*
12 (a) (1) Upon approval of a resolution designating it as a Safety
13 *Enhancement-Double Fine Zone* by the *Alameda and Contra*
14 *Costa County Board* ~~Boards~~ of Supervisors, the segment of
15 county highway known as Vasco Road, between the Interstate 580
16 junction in Alameda County and the Walnut Boulevard
17 intersection in Contra Costa County.
18 ~~(3)~~
19 (2) Upon approval of a resolution designating it as a Safety
20 *Enhancement-Double Fine Zone* by the Board of Directors for the
21 *Golden Gate Bridge, Highway and Transportation District*, the
22 1.73-mile segment of ~~State Highway Route 101~~ that is the Golden
23 Gate Bridge.
24 (3) *Upon approval of a resolution designating any of the*
25 *following segments located within the County of Alameda by the*
26 *Alameda County Board of Supervisors, any of the following*
27 *segments so designated:*
28 (A) *Grant Line Road between the Interstate 580 junction and*
29 *the San Joaquin County line.*
30 (B) *Patterson Pass Road between the Greenville Road*
31 *intersection and the San Joaquin County line.*
32 (C) *North Livermore Avenue between the Interstate 580*
33 *junction and the Manning Road intersection.*
34 (D) *Mountain House Road between Grant Line Road and*
35 *Byron-Bethany Road.*

The applicable local agency, in consultation with the department, shall assume all responsibilities that would otherwise accrue to the department for the administration of the Safety Enhancement-Double Fine Zones designated pursuant to this section.

(b) The Safety Enhancement-Double Fine Zones described in subdivision (a) are subject to the rules and regulations adopted by the department prescribing uniform standards for warning signs to notify motorists that, pursuant to Section 42010 of the Vehicle Code, increased penalties apply for traffic violations that are committed within a Safety Enhancement-Double Fine Zone. The department or the local authority having jurisdiction over this highway segment shall place and maintain the warning signs identifying this highway by stating that a “Special Safety Zone Region Begins Here” and a “Special Safety Zone Ends Here.”

(c) Designation of the highway segments in subdivision (a) as Safety Enhancement-Double Fine Zones does not increase the civil liability of the state or local authority having jurisdiction over the highway segment under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code or any other provision of law relating to civil liability.

(d) (1) Only the base fine shall be enhanced pursuant to this section.

(2) Notwithstanding any other provision of law, any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement or doubling and shall not be based on the amount of the enhanced fine imposed pursuant to this section.

(e) The projects specified in subdivision (a) shall not be elevated in priority for state funding purposes.

SEC. 2. Section 42010 is added to the Vehicle Code, to read:

42010. (a) For any offense specified in subdivision (b) that is committed by the driver of a vehicle within an area that has been designated as a Safety Enhancement-Double Fine Zone pursuant to *subdivision (a) of Section 97 of the Streets and Highways Code* or subdivision (a) of Section 97.1 of the Streets and Highways Code, the fine, in a misdemeanor case, shall be double the amount otherwise prescribed, and, in an infraction case, the fine shall be one category higher than the penalty otherwise prescribed by the

1 uniform traffic penalty schedule established pursuant to Section
2 40310.

3 (b) A violation of any of the following provisions is an offense
4 that is subject to subdivision (a):

5 (1) Chapter 3 (commencing with Section 21650) of Division
6 11, relating to driving, overtaking, and passing.

7 (2) Chapter 7 (commencing with Section 22348) of Division
8 11, relating to speed limits.

9 (3) Section 23103, relating to reckless driving.

10 (4) Section 23104, relating to reckless driving that results in
11 bodily injury to another.

12 (5) Section 23109, relating to speed contests.

13 (6) Section 23152, relating to driving under the influence of
14 alcohol or a controlled substance, or a violation of Section 23103,
15 as specified in Section 23103.5, relating to alcohol-related
16 reckless driving.

17 (7) Section 23153, relating to driving under the influence of
18 alcohol or a controlled substance, which results in bodily injury to
19 another.

20 (8) Section 23220, relating to drinking while driving.

21 (9) Section 23221, relating to drinking in a motor vehicle while
22 on the highway.

23 (10) Section 23222, relating to driving while possessing an
24 open alcoholic beverage container.

25 (11) Section 23223, relating to being in a vehicle on the
26 highway while possessing an open alcoholic beverage container.

27 (12) Section 23224, relating to being a driver or passenger
28 under the age of 21 possessing an open alcoholic beverage
29 container.

30 (13) Section 23225, relating to being the owner or driver of a
31 vehicle in which there is an open alcoholic beverage container.

32 (14) Section 23226, relating to being a passenger in a vehicle
33 in which there is an open alcoholic beverage container.

34 (c) This section applies only when traffic controls or warning
35 signs have been placed pursuant to Section 97 or 97.1 of the Streets
36 and Highways Code.

37 (d) (1) Notwithstanding any other provision of law, the
38 enhanced fine imposed pursuant to this section shall be based only
39 on the base fine imposed for the underlying offense and shall not
40 include any other enhancements imposed pursuant to law.



1 (2) Notwithstanding any other provision of law, any additional
2 penalty, forfeiture, or assessment imposed by any other statute
3 shall be based on the amount of the base fine before enhancement
4 or doubling and shall not be based on the amount of the enhanced
5 fine imposed pursuant to this section.

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